

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA, :
 :
 PLAINTIFF, : Docket No.
 :
 VS. :
 :
 NIEVEZQUEZ PRODUCTIONS, INC., :
 :
 DEFENDANT. : April 5, 2019

COMPLAINT

NOW COMES the United States of America, by and through its undersigned attorneys,
and alleges the following:

1. This is a civil action brought by the plaintiff, United States of America, on behalf of the Federal Communications Commission (“FCC”) to reduce to judgment delinquent regulatory fees owed by the defendant to the FCC.

2. This Court has jurisdiction over this case pursuant to 28 U.S.C. § 1345.

3. The Defendant, Nievesquez Productions, Inc., conducts business in the State of Connecticut with a principal place of business at 321 Ellis Street, New Britain, CT 06051.

4. On September 20, 2013, the FCC determined that the Defendant was delinquent for regulatory fees for fiscal year 2013, in the amount of \$2,750. *See* Exhibit A, attached hereto and incorporated herein, page 1.

5. The total principal of the debt due for 2013 is \$2,750.00, plus interest, penalties and fees for a total balance of \$6,191.07 as of January 18, 2019, with interest and penalties continuing to accrue until the date of judgment. *See* Exhibit A, page 1.

6. On September 23, 2014, the FCC determined that the Defendant was also delinquent for regulatory fees for fiscal year 2014, in the amount of \$2,750. *See* Exhibit A, page 2.

7. The total principal of the debt due for 2014 is \$2,750.00, plus interest, penalties and fees for a total balance of \$5,882.52 as of January 18, 2019, with interest and penalties continuing to accrue until the date of judgment. *See* Exhibit A, page 2.

8. Demand has been made upon the Defendant by the Plaintiff for the sums due, but the amount due remains unpaid.

WHEREFORE, the United States demands judgment against the Defendant for the total of \$6,191.07, plus costs, plus interest and penalties continuing to accrue to the date of judgment, for its failure to pay regulatory fees for Fiscal Year 2013.

The United States also demands judgment against the Defendant for the total of \$5,882.52, plus costs, plus interest and penalties continuing to accrue to the date of judgment, for its failure to pay regulatory fees for Fiscal Year 2014.

The United States further demands, pursuant to 28 U.S.C. Section 1961, that interest on any judgment be at the legal rate until the judgment is paid in full.

Respectfully submitted,

UNITED STATES OF AMERICA

JOHN H. DURHAM
UNITED STATES ATTORNEY

/s/

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U.S. DEPARTMENT OF THE TREASURY
BUREAU OF THE FISCAL SERVICE
WASHINGTON, DC 20227

ACTING ON BEHALF OF
FEDERAL COMMUNICATIONS COMMISSION
CERTIFICATE OF INDEBTEDNESS

Nievesquez Productions, Inc.
321 Ellis Street
New Britain, CT 06051

Agency Nos.: R13A013630 & R14R013630

TRFM Nos.: 2014200463 & 2014368546

I hereby certify, as part of my duties with the U.S. Department of the Treasury (Treasury), including referring matters to the U.S. Department of Justice (DOJ) for litigation, I am a custodian of records of certain files sent by the Federal Communications Commission (FCC) to Treasury for collection actions. As a custodian of records for Treasury, I have care and custody of records relating to the **two (2) debts** owed by Nievesquez Productions, Inc., (DEBTOR) to FCC.

The information contained in this Certificate of Indebtedness is based on documents created by an employee or contractor of FCC based on his/her knowledge at or near the time the events were recorded, including the review of the delinquency of overpayments, or by an employee or contractor of Treasury based on his/her knowledge at or near the time the events were recorded, including the review of the delinquency of overpayments. Treasury's regular business practice is to receive, store and rely on the documents provided by FCC, when, debts are referred to Treasury for collection activities, including litigation.

FCC referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on August 6, 2014 and December 24, 2014. Further, I certify that I am familiar with Treasury's record keeping practices, including the receipt of files from FCC.

2014200463 - Case #1

On September 20, 2013, FCC determined the DEBTOR was delinquent for regulatory fees for fiscal year 2013 in the amount of \$2,750.00 with an annual interest rate of 1.00% and an annual penalty rate of 6.00%. FCC sent the DEBTOR letters advising of the delinquency and requesting payment to no avail.

On January 16, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$2,750.00 with daily interest of \$0.08 and as of January 18, 2019, the DEBTOR is indebted to the United States in the amounts stated as follows:

| | |
|-----------------------|--------------------|
| Principal: | \$ 2,750.00 |
| Interest (@1.00%): | \$ 297.12 |
| Penalty (@6.00%): | \$ 1,452.38 |
| Administrative Costs: | \$ 1,691.57 |
| Total: | \$ 6,191.07 |



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2014368546 – Case #2

On September 23, 2014, FCC determined the DEBTOR was delinquent for payment assessed for regulatory fees for fiscal year 2014 in the amount of \$2,750.00 with an annual interest rate of 1.00% and an annual penalty rate of 6.00%. FCC sent the DEBTOR letters advising of the delinquency and requesting payment to no avail.

On January 16, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$2,750.00 with daily interest of \$0.08 and as of January 18, 2019, the DEBTOR is indebted to the United States in the amounts stated as follows:

| | |
|-----------------------|--------------------|
| Principal: | \$ 2,750.00 |
| Interest (@1.00%): | \$ 153.11 |
| Penalty (@6.00%): | \$ 1,369.65 |
| Administrative Costs: | \$ 1,609.76 |
| Total: | \$ 5,882.52 |

The balances stated in the case(s) listed above are current as of **January 18, 2019**, including any applicable interest, penalties, administrative fees, and DMS & DOJ fees (pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note).

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the FCC and information contained in Treasury's records.

1/18/2019

X *Natalie R. Stubbs*

Signed by: Natalie R. Stubbs
Natalie R. Stubbs
Financial Program Specialist
U.S. Department of the Treasury
Bureau of the Fiscal Service